

JACQUELINE M. JAMES, ESQ.

The James Law Firm
445 Hamilton Avenue
Suite 1102
White Plains, NY 10601

T: (914) 358 6423
F: (914) 358 6424
jjameslaw@optonline.net
jacquelinejameslaw.com

October 15, 2015

VIA ECF

Honorable Colleen McMahon
Honorable Gregory Woods
Honorable John G. Koeltl
United States District Judges
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

RE: Plaintiff, Hawk Technology Systems, LLC's, Response to Defendant, New York City Health and Hospitals Corporation's, Notification of Related Cases Per Local Civil Rule 1.6 (DE 18)

Hawk Technology Systems, LLC v. New York City Health and Hospitals Corporation, 15-cv-6005 (CM)

Hawk Technology Systems, LLC v. Accor North America Corporation et al 15-cv-5692 (GHW)

On-Net Surveillance System, Inc. v. Hawk Technology Systems, LLC, 15-cv-6653 (JGK)

Dear Honorable Judges McMahon, Woods and Koeltl:

Hawk Technology Systems, Inc. ("Hawk") is the plaintiff in the first two above referenced cases and the defendant in the third. I write to you as counsel for Hawk to address the Notification of Related Cases filed by the Defendant in the first action, New York City Health and Hospitals Corporation ("HHC") (DE 18). Preliminarily, Hawk wishes to advise Your Honors that the parties to case 15-cv-5692 have reached a settlement in principle. The parties will be filing a notice of settlement tomorrow.

With respect to the two remaining cases, Hawk has no objection to these cases being heard before a single judge. However, Hawk submits that the notice of related cases filed by HHC is premature. Hawk was served with On-Net Surveillance System, Inc.'s ("On-Net") complaint on

Page 2

Hawk's Letter Response to DE 18

September 18, 2015, nearly two months after Hawk filed the complaint against HHC. As set forth above, On-Net did not file a related case notification. Hawk believes this is because the HHC and On-Net cases involve the same patent but different systems. Indeed, the software and components at issue differ in each case. Unless and until HHC files a counterclaim or raises an invalidity defense, Hawk does not believe these two cases have the nexus necessary to deem them related. Hawk asserts the notification by HHC is premature. To the extent Your Honors disagree that a notice of related cases is premature and that a notice should have been filed, Hawk apologizes for any inconvenience this has caused the Court. Hawk submits that no prejudice has occurred since the defendant in neither action has responded to the complaint.

Finally, Hawk wishes to correct certain errors in the letter sent to Your Honors from counsel for HHC. Despite HHC's statement otherwise, Hawk is a practicing entity. Additionally, the inventor of the subject patent is a member of Hawk. Accordingly, we respectfully request that Your Honors disregard the incorrect and mostly irrelevant information set forth in that letter.

Sincerely,

/s/ Jacqueline M. James

cc: All counsel of record